

as well as each existing dry-to-dry machine and its ancillary equipment, located in a dry cleaning facility that includes both transfer machine system(s) and dry-to-dry machine(s) is exempt from § 63.322, § 63.323, and § 63.324, except paragraphs 63.322 (c), (d), (i), (j), (k), (l), and (m), 63.323(d), and 63.324 (a), (b), (d)(1), (d)(2), (d)(3), (d)(4), and (e) if the total perchloroethylene consumption of the dry cleaning facility is less than 530 liters (140 gallons) per year. Consumption is determined according to § 63.323(d).

(e) Each existing transfer machine system and its ancillary equipment, and each new transfer machine system and its ancillary equipment installed between December 9, 1991 and September 22, 1993, located in a dry cleaning facility that includes only transfer machine system(s) is exempt from § 63.322, § 63.323, and § 63.324, except paragraphs 63.322 (c), (d), (i), (j), (k), (l), and (m), 63.323(d), and 63.324 (a), (b), (d)(1), (d)(2), (d)(3), (d)(4), and (e) if the perchloroethylene consumption of the dry cleaning facility is less than 760 liters (200 gallons) per year. Consumption is determined according to § 63.323(d).

(f) If the total yearly perchloroethylene consumption of a dry cleaning facility determined according to § 63.323(d) is initially less than the amounts specified in paragraph (d) or (e) of this section, but later exceeds those amounts, the existing dry cleaning system(s) and new transfer machine system(s) and its (their) ancillary equipment installed between December 9, 1991 and September 22, 1993 in the dry cleaning facility must comply with § 63.322, § 63.323, and § 63.324 by 180 calendar days from the date that the facility determines it has exceeded the amounts specified, or by September 23, 1996, whichever is later.

(g) A dry cleaning facility is a major source if the facility emits or has the potential to emit more than 9.1 megagrams per year (10 tons per year) of perchloroethylene to the atmosphere. In lieu of measuring a facility's potential to emit perchloroethylene emissions or determining a facility's potential to emit perchloroethylene

emissions, a dry cleaning facility is a major source if:

(1) It includes only dry-to-dry machine(s) and has a total yearly perchloroethylene consumption greater than 8,000 liters (2,100 gallons) as determined according to § 63.323(d); or

(2) It includes only transfer machine system(s) or both dry-to-dry machine(s) and transfer machine system(s) and has a total yearly perchloroethylene consumption greater than 6,800 liters (1,800 gallons) as determined according to § 63.323(d).

(h) A dry cleaning facility is an area source if it does not meet the conditions of paragraph (g) of this section.

(i) If the total yearly perchloroethylene consumption of a dry cleaning facility determined according to § 63.323(d) is initially less than the amounts specified in paragraph (g) of this section, but then exceeds those amounts, the dry cleaning facility becomes a major source and all dry cleaning systems located at that dry cleaning facility must comply with the appropriate requirements for major sources under §§ 63.322, 63.323, and 63.324 by 180 calendar days from the date that the facility determines it has exceeded the amount specified, or by September 23, 1996, whichever is later.

(j) All coin-operated dry cleaning machines are exempt from the requirements of this subpart.

(k) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

[58 FR 49376, Sept. 22, 1993, as amended at 58 FR 66289, Dec. 20, 1993; 61 FR 27788, June 3, 1996; 61 FR 49265, Sept. 19, 1996; 64 FR 69643, Dec. 14, 1999; 70 FR 75345, Dec. 19, 2005]

#### § 63.321 Definitions.

*Administrator* means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority

to implement the provisions of this part).

*Ancillary equipment* means the equipment used with a dry cleaning machine in a dry cleaning system including, but not limited to, emission control devices, pumps, filters, muck cookers, stills, solvent tanks, solvent containers, water separators, exhaust dampers, diverter valves, interconnecting piping, hoses, and ducts.

*Area source* means any perchloroethylene dry cleaning facility that meets the conditions of § 63.320(h).

*Articles* mean clothing, garments, textiles, fabrics, leather goods, and the like, that are dry cleaned.

*Biweekly* means any 14-day period of time.

*Carbon adsorber* means a bed of activated carbon into which an air-perchloroethylene gas-vapor stream is routed and which adsorbs the perchloroethylene on the carbon.

*Coin-operated dry cleaning machine* means a dry cleaning machine that is operated by the customer (that is, the customer places articles into the machine, turns the machine on, and removes articles from the machine).

*Colorimetric detector tube* means a glass tube (sealed prior to use), containing material impregnated with a chemical that is sensitive to perchloroethylene and is designed to measure the concentration of perchloroethylene in air.

*Construction*, for purposes of this subpart, means the fabrication (onsite), erection, or installation of a dry cleaning system subject to this subpart.

*Desorption* means regeneration of a carbon adsorber by removal of the perchloroethylene adsorbed on the carbon.

*Diverter valve* means a flow control device that prevents room air from passing through a refrigerated condenser when the door of the dry cleaning machine is open.

*Dry cleaning* means the process of cleaning articles using perchloroethylene.

*Dry cleaning cycle* means the washing and drying of articles in a dry-to-dry machine or transfer machine system.

*Dry cleaning facility* means an establishment with one or more dry cleaning systems.

*Dry cleaning machine* means a dry-to-dry machine or each machine of a transfer machine system.

*Dry cleaning machine drum* means the perforated container inside the dry cleaning machine that holds the articles during dry cleaning.

*Dry cleaning system* means a dry-to-dry machine and its ancillary equipment or a transfer machine system and its ancillary equipment.

*Dryer* means a machine used to remove perchloroethylene from articles by tumbling them in a heated air stream (see reclaimer).

*Dry-to-dry machine* means a one-machine dry cleaning operation in which washing and drying are performed in the same machine.

*Exhaust damper* means a flow control device that prevents the air-perchloroethylene gas-vapor stream from exiting the dry cleaning machine into a carbon adsorber before room air is drawn into the dry cleaning machine.

*Existing* means commenced construction or reconstruction before December 9, 1991.

*Filter* means a porous device through which perchloroethylene is passed to remove contaminants in suspension. Examples include, but are not limited to, lint filter (button trap), cartridge filter, tubular filter, regenerative filter, prefilter, polishing filter, and spin disc filter.

*Heating coil* means the device used to heat the air stream circulated from the dry cleaning machine drum, after perchloroethylene has been condensed from the air stream and before the stream reenters the dry cleaning machine drum.

*Major source* means any dry cleaning facility that meets the conditions of § 63.320(g).

*Muck cooker* means a device for heating perchloroethylene-laden waste material to volatilize and recover perchloroethylene.

*New* means commenced construction or reconstruction on or after December 9, 1991.

*Perceptible leaks* mean any perchloroethylene vapor or liquid leaks that are obvious from:

- (1) The odor of perchloroethylene;

## Environmental Protection Agency

## § 63.322

(2) Visual observation, such as pools or droplets of liquid; or

(3) The detection of gas flow by passing the fingers over the surface of equipment.

*Perchloroethylene consumption* means the total volume of perchloroethylene purchased based upon purchase receipts or other reliable measures.

*Reclaimer* means a machine used to remove perchloroethylene from articles by tumbling them in a heated air stream (see dryer).

*Reconstruction*, for purposes of this subpart, means replacement of a washer, dryer, or reclaimer; or replacement of any components of a dry cleaning system to such an extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source.

*Refrigerated condenser* means a vapor recovery system into which an air-perchloroethylene gas-vapor stream is routed and the perchloroethylene is condensed by cooling the gas-vapor stream.

*Refrigerated condenser coil* means the coil containing the chilled liquid used to cool and condense the perchloroethylene.

*Responsible official* means one of the following:

(1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more dry cleaning facilities;

(2) For a partnership: A general partner;

(3) For a sole proprietorship: The owner; or

(4) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking official.

*Room enclosure* means a stationary structure that encloses a transfer machine system, and is vented to a carbon adsorber or an equivalent control device during operation of the transfer machine system.

*Source*, for purposes of this subpart, means each dry cleaning system.

*Still* means any device used to volatilize and recover perchloroethylene from contaminated perchloroethylene.

*Temperature sensor* means a thermometer or thermocouple used to measure temperature.

*Transfer machine system* means a multiple-machine dry cleaning operation in which washing and drying are performed in different machines. Examples include, but are not limited to:

(1) A washer and dryer(s);

(2) A washer and reclaimer(s); or

(3) A dry-to-dry machine and reclaimer(s).

*Washer* means a machine used to clean articles by immersing them in perchloroethylene. This includes a dry-to-dry machine when used with a reclaimer.

*Water separator* means any device used to recover perchloroethylene from a water-perchloroethylene mixture.

*Year* or *Yearly* means any consecutive 12-month period of time.

### § 63.322 Standards.

(a) The owner or operator of each existing dry cleaning system and of each new transfer machine system and its ancillary equipment installed between December 9, 1991 and September 22, 1993 shall comply with either paragraph (a)(1) or (a)(2) of this section and shall comply with paragraph (a)(3) of this section if applicable.

(1) Route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a refrigerated condenser or an equivalent control device.

(2) Route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a carbon adsorber installed on the dry cleaning machine prior to September 22, 1993.

(3) Contain the dry cleaning machine inside a room enclosure if the dry cleaning machine is a transfer machine system located at a major source. Each room enclosure shall be:

(i) Constructed of materials impermeable to perchloroethylene; and